

*Granted to March 15, 2004  
Susan J. Dlott  
Feb 13, 2004*

FILED  
JAMES BONINI  
CLERK

2004 FEB 12 AM 11:46

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WEST DIV CINCINNATI

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DAVID BILLUPS,  
PLAINTIFF,

-vs-

PAT HURLEY,  
RESPONDENT.

CASE NO. C-1-01-731

JUDGE DLOTT

MAGISTRATE JUDGE PERELMAN

MOTION FOR EXTENSION OF TIME  
TO FILE OBJECTIONS TO THE MAGISTRATE'S  
REPORT AND RECOMMENDATION, AND AFFIDAVIT.

Petitioner, David Billups, moves this Court for an extension of time to file objections to the Magistrate's Report and Recommendation which was filed February 2, 2004.

As verified by the Petitioner's signature on the Certified Receipt, Petitioner received the Magistrate's Report and Recommendation on February 9, 2004. Because the ten (10) day limit falls on the 12th of February 2004, Petitioner needs additional time to respond.

DATE 2.9.04

*I, David Billups*

David Billups  
P.O. Box 7010-211903  
Chillicothe, Ohio 45601

I hereby certify pursuant to 28 U.S.C. 1746 under penalty of perjury the foregoing is true and correct in its entirety.

DATE 2.9.04

*I, David Billups*

David Billups

CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing has been served to Counsel for Respondent at: M. Scott Criss#0068105, 140 East Town St., Columbus, Ohio 43215 this 9th day of February 2004 by regular U.S. Mail.

*I, David Billups*  
David Billups